

Alabama Department of Environmental Management
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July XX, 2016

Via Email

Mr. Ronald Martin
Safety Supervisor
Hyundai Power Transformers USA, Inc.
215 Folmar Parkway
Montgomery, Montgomery County, Alabama 36105
Email: [HYPERLINK "mailto:R.Martin@hhiamerica.com"]

Dear Mr. Martin:

Subject: **Warning Letter**
Hyundai Power Transformers USA, Inc. (Hyundai Power Transformers)
EPA ID Number ALR000050989

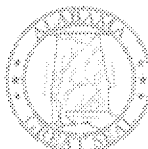
Based on an investigation, including an inspection conducted on March 24, 2016, the Alabama Department of Environmental Management ("ADEM" or "the Department") has determined that Hyundai Power Transformers failed to comply with certain requirements of Division 14 of the ADEM Administrative Code ("ADEM Admin. Code"). This determination was based on the following:

1. Hyundai Power Transformers owns and operates a facility that manufactures electrical power transformers for the power generation and transfer industry, with EPA ID number ALR000050989, located at 215 Folmar Parkway in Montgomery, Montgomery County, Alabama. At all times relevant to this action, Hyundai Power Transformers was a small quantity generator of hazardous wastes, a small quantity handler of universal waste, and a used oil generator.
2. Pursuant to ADEM Admin. Code r. 335-14-3-.02(4)(a)3. referencing 335-14-3-.04(1)(a), a generator must keep a copy of each manifest signed in accordance with 335-14-3-.02(4)(a) for three years or until he receives a signed copy from the designated facility which received the waste. This signed copy must be retained as a record for at least three years from the date the waste was accepted by the initial transporter.

Hyundai Power Transformers did not have the Designated Facility to Generator copy (3-signature copy) of Manifest #00426741SKS, dated August 6, 2015. *A copy of the signed manifest was obtained from the designated facility before we left the site.*

3. Pursuant to ADEM Admin. Code r. 335-14-3-.03(5)(d)6.(iii), a small quantity generator may accumulate hazardous waste on-site for 180 days or less without a permit or without having interim status provided that employees complete an initial training program in hazardous waste management within six months after the date of their employment or assignment to a new position, whichever is later. Employees must not work in unsupervised positions until they have completed the training requirements of 335-14-6-.02(7)(b).

Hyundai Power Transformers had not provided hazardous waste management training to its employees that



handle hazardous waste. *In an email dated March 31, 2016, Mr. Martin provided documentation that hazardous waste management training was provided subsequent to the inspection.*

4. Pursuant to ADEM Admin. Code r. 335-14-11-.02(7), a small quantity handler of universal waste must inform all employees who handle or have responsibility for managing universal waste of the proper handling and emergency procedures appropriate to the type(s) of universal waste handled at the facility.

Hyundai Power Transformers had not provided the required information to employees that handle or manage universal waste lamps. *In an email dated March 31, 2016, Mr. Martin provided documentation that universal waste training was provided to employees subsequent to the inspection.*

5. Pursuant to ADEM Admin. Code r. 335-14-3-.01(2), referencing ADEM Admin. Code r. 335-14-6-.09(4)(a), a container holding hazardous waste must always be closed during storage, except when it is necessary to add or remove waste.

In the Paint Shop, one 55-gallon open-top satellite accumulation container containing paint pucks was not marked in any way. In addition, its lid was in place but was not secured by a drum ring. *This container was closed properly prior to our departure from the site.*

6. Pursuant to ADEM Admin. Code r. 335-14-3-.03(5)(c) 1.(ii), a generator may accumulate as much as 55 gallons of hazardous waste or one quart of acutely hazardous waste in containers at or near any point of generation where wastes initially accumulate, which is under the control of the operator of the process generating the waste, without a permit or interim status and without complying with 335-14-3-.03(5)(a) or (d) provided he marks his containers either with the words "Hazardous Waste" or with other words that identify the contents of the containers.

Hyundai Power Transformers did not mark the aforementioned satellite accumulation container with either the words "Hazardous Waste" or with other words that identified the contents of the container.

7. Pursuant to ADEM Admin. Code r. 335-14-3-.01(2), a person who generates a solid waste, as defined in 335-14-2-.01(2), must determine if that waste is a hazardous waste.

Hyundai Power Transformers did not make a hazardous waste determination for two non-empty aerosol paint cans that had been disposed in the solid waste trash, and liners and paint residues ("pucks") from the paint pots in the spray booth.

8. Pursuant to ADEM Admin. Code r. 335-14-3-.01(4)(a), a large quantity generator or small quantity generator must submit a correct and complete ADEM Form 8700-12 (including all appropriate attachment pages and fees) reflecting current waste activities to the Department annually.

Hyundai Power Transformers did not submit a correct and complete ADEM Form 8700-12; the form did not include all of the EPA hazardous waste numbers for the wastes generated at the site. In addition to waste that is characteristic for ignitability (D001), the facility also generates waste that is characteristically toxic for barium (D005), cadmium (D006), benzene (D018), and two F-listed solvent wastes (F003 and F005).

9. Pursuant to ADEM Admin. Code r. 335-14-11-.02(4)(d)1., a small quantity handler of universal waste must contain any lamps in containers or packages that are structurally sound, adequate to prevent breakage, and compatible with the contents of the lamps.

Hyundai Power Transformers did not contain one spent universal waste fluorescent lamp in a container.

10. Pursuant to ADEM Admin. Code r. 335-14-11-.02(5)(e), each lamp or a container or package in which the lamps are contained must be labeled or marked clearly with any one of the following phrases: "Universal

July XX, 2016
Mr. Ronald Martin
Hyundai Power Transformers USA, Inc.

Page [PAGE] of [NUMPAGES]

Waste – Lamp(s)", or "Waste Lamp(s)", or "Used Lamp(s)".

Hyundai Power Transformers did not mark the abovementioned fluorescent lamp with any of the required phrases.

11. Pursuant to ADEM Admin. Code r. 335-14-11-.02(6)(c), a small quantity handler of universal waste who accumulates universal waste must be able to demonstrate the length of time that the universal waste has been accumulated from the date it becomes a waste or is received.

Hyundai Power Transformers could not demonstrate the length of time the abovementioned fluorescent lamp had been accumulated after it became a waste.

12. Pursuant to ADEM Admin. Code r. 335-14-17-.03(4)(a)1., a container holding used oil must always be closed during storage, except when it is necessary to add or remove used oil.

Hyundai Power Transformers did not keep closed one container of used oil.

13. Pursuant to ADEM Admin. Code r. 335-14-17-.03(4)(c)1., containers and used oil tanks, except underground tanks, used to store used oil at used oil generator locations must be labeled or marked clearly with the words "Used Oil".

Hyundai Power Transformers did not mark one tank and four containers holding used oil with the words "Used Oil".

The intent of this warning letter is to call Hyundai Power Transformers' attention to areas of noncompliance (described in Paragraphs 2. through 13.) that existed at the time of the March 24, 2016, inspection. This action does not constitute a Notice of Violation or a compliance order issued pursuant to the *Alabama Hazardous Wastes Management and Minimization Act*, Code of Alabama (1975), §22-30-19.

Hyundai Power Transformers is hereby requested to submit documentation to the Department within **thirty (30) days** of receipt of this warning indicating that the areas of noncompliance described in Paragraphs 6. through 13. have been corrected or addressed. The documentation required may include: (1) written statements detailing what has been done to correct the area of noncompliance and prevent their recurrence or (2) photographs (along with a written description) of what has been done to correct the areas of noncompliance.

Should you have any questions regarding this action or wish to discuss your response, please contact Ms. L. J. Knickerbocker of my staff at (334) 271-7896 or [HYPERLINK "mailto:lkickerbocker@adem.state.al.us"].

Sincerely,

Clethes Stallworth, Chief
Compliance and Enforcement Section
Industrial Hazardous Waste Branch
Land Division

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